

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ROGER DeMONTRAVEL, Individually And On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

SMART TECHNOLOGIES, INC., DAVID A.  
MARTIN, NANCY L. KNOWLTON, G.A.  
FITCH, SALIM NATHOO, ARVIND SODHANI,  
MICHAEL J. MUELLER, ROBERT C.  
HAGERTY, MORGAN STANLEY & CO. INC.,  
DEUTSCHE BANK SECURITIES INC., and RBC  
DOMINION SECURITIES INC.,

Defendants.

Civil Action No. 1:10-cv-09054-TPG

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

Plaintiff Roger DeMontravel hereby voluntarily dismisses this action pursuant to Federal Rule of Civil Procedure 41(a), without prejudice.

Dated: February 4, 2011  
New York, New York

Respectfully submitted,

By: /s/ Kim Miller

**KIM MILLER**  
**KAHN SWICK & FOTI, LLC**  
500 5th Avenue, Suite 1810  
New York, New York 10110  
Telephone: (212) 696-3730  
Facsimile: (504) 455-1498  
Email: kim.miller@ksfcounsel.com

**LEWIS S. KAHN**  
**KAHN SWICK & FOTI, LLC**  
206 Covington Street  
Madisonville, Louisiana 70447  
Tel.: (504) 455-1400  
Fax: (504) 455-1498  
Email: lewis.kahn@ksfcounsel.com

**Attorneys for Plaintiff**



Abraham  
Fruchter &  
Twersky LLP

One Penn Plaza  
Suite 2805  
New York, NY 10119

Tel: 212.279.5050  
Fax: 212.279.3655  
[www.aftlaw.com](http://www.aftlaw.com)

February 4, 2011

BY HAND DELIVERY

The Honorable Thomas P. Griesa  
United States District Judge  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: Huffstetter v. Smart Technologies, Inc. et al., No. 10-CV-09139 (TPG)

Dear Judge Griesa:

We represent Plaintiff Larry Huffstetter in the above-captioned action, and write to provide Your Honor with a copy of the Notice of Voluntary Dismissal Without Prejudice that we filed electronically today on behalf of Mr. Huffstetter pursuant to Federal Rule of Civil Procedure 41(a). We note that several parties have filed motions seeking to be appointed Lead Plaintiff in this action pursuant to the Private Securities Litigation Reform Act. Those movants have conferred, and we can represent to the Court that no movant opposes the voluntary dismissal of this action without prejudice.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jack G. Fruchter".

Jack G. Fruchter

Enclosure

cc.: All Counsel (by electronic mail, without enclosure).